

RCE/2851

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/337,040
Filing Date	June 28, 1999
First Named Inventor	Mitsuro SUGITA et al.
Group Art Unit	2851
Examiner Name	H. Nguyen
Attorney Docket Number	00684.002864

MAY 27 2003

PATENT & TRADEMARK OFFICE

#23

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other

05/28/2003 SDIRETA1 00000029 09337040

750.00 OP

01 FC:1801

05/28/2003 SDIRETA1 00000029 09337040

## 2. Miscellaneous

02 FC:1252

410.00 OP

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☒ Other: Applicants petition the Examiner to extend the time for response to the Final Office Action dated December 24, 2002, two months from March 24, 2003, up to and including Tuesday after holiday, May 27, 2003, and submit \$410.00.

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other

b. ☒ Checks in the amounts of \$750.00 and \$410.00 are enclosed to cover the RCE filing fee and the extension of time fee, respectively.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Steven E. Warner	Registration No. (Attorney/Agent)	33,326
Signature	<i>Steven E. Warner</i>	Date	May 27, 2003 (Tuesday After Holiday)

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the U.S. Patent and Trademark Office, U.S. Patent and Trademark Administration, DC 20231. Do not send fees or completed forms to this address. Send fees and completed forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

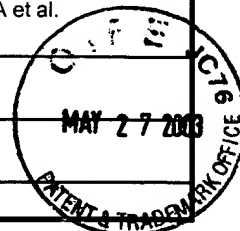
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